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08/866,857	05/30/1997	DAVID CORBOY	06651/008001	1383

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EXAMINER
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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _23 October 2003_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11,13-16,31-50,63-66 and 100_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11,13-16,31-50,63-66 and 100_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
   since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
   37 CFR 1.78.
   a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
   reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communication: amendment filed on 10/23/03 to the application filed on 05/30/97.

2.   Claims 12, 17-30, 51-62, 67-99 are canceled.

3.   Claim 100 is added.

4.   Claims 1-11, 13-16, 31-50, 63-66, 100 are pending in the case. Claims 1, 10 and 100 are independent claims.

5.   The rejections of claims 1-4, 9-11, 13-16, 63-66 under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Gertler have been withdrawn in view of the amendment.

6.   The rejections of claims 5-6 under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Gertler and further in view of Johnson have been withdrawn in view of the amendment.

7.   The rejections of claims 7-8 under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Gertler and further in view of Ando have been withdrawn in view of the amendment.

8.   The rejections of claims 31-50 under 35 U.S.C. 103(a) as being unpatentable over Shaw in view of Gertler and further in view of Caire have been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1-3, 9-11, 14, 63-66 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Robotham et al. (US Pat No. 6,084,590, 7/4/00, filed 10/10/97,

priority 4/7/97).

Regarding independent claim 1, Robotham discloses:

-    receiving a stream including a file that integrates media content with

     choreography information within each of at least two objects of the file, each of

     the objects including media content data and choreography information

     associated therewith, the choreography information comprising data indicating an

     author-designated relationship between the objects of the file that defines a

     temporal order of presentation between the objects (col 10, lines 11-37: different

     types of media elements are choreographed in space and time within a single

     integrated choreography specification framework)

-    before all objects of the file are received, beginning to render media content

     encapsulated within the file based on the choreography information associated

     with objects received so as to enable an ordered display of the objects received

     based on the choreography information (col 22, line 49 to col 23, line 6: rendering

     the objects in the media file based on the choreography information associated

with the media objects to a user; since the display of media segments occurs in *a choreography model pixel-by-pixel basis during the finish rendering process,* the render of media content is received as choreographed before all the objects of the file are received)

Robotham does not explicitly disclose the rendering process is unaffected by an input of the recipient and the ordered display being independent of a bandwidth of a communication channel used to send the multimedia document.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Robotham to include the unaffectedness by an input recipient and the independence of the ordered display of a bandwidth of the communication channel used to send the multimedia document for the following reason. The fact that the choreography information is provided for generation of the image stream of choreographed objects within the virtual stage suggests that the image stream be rendered to the recipient as generated with choreography specification. The rendering, therefore, is unaffected by any input from recipient. Further, the ordered display, since specified in the choreography information in advance, will be rendered in the defined order independently of the bandwidth of a communication channel used to send the multimedia document.

Regarding claims 2 and 3, which is dependent on claim 1, Robotham discloses:

- changing one object in the data file (col 12, line 64 to col 13, line 6: changing can be made on media objects during choreography process; col 9, lines 10-63: altering characteristics of objects)

- adding an object to the data file (col 10, lines 3-10: the fact that media elements can be edited in the way that they can *be integrated with one another spatially and acoustically* suggests *adding an object to the data file)*

Regarding claim 9, which is dependent on claim 1, Robotham discloses creating an object in the file (col 7, lines 17-32) and locating player data within an object defining a player that plays the object (col 10, lines 11-37: different types of media elements such as video and audio can be treated as if they are produced simultaneously within the unified virtual stage suggests defining a player for playing the media elements) Robotham does not disclose the created object is an unknown object. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Robotham to include the created object being an unknown object for the following reason. Robotham provides the interface for each multimedia object thus no matter the object is known or unknown, the system always locates the player associated with the multimedia object.

Independent claim 10 is for a computer system of the method claim 1, and is rejected under the same rationale.

Regarding claim 11, which is dependent on claim 10, Robotham discloses that at least one object comprises one of a textual file format, an image file format, and a sound file format (col 12, lines 6-21 and col 22, lines 49-67: the media object comprises image format and audio format).

Regarding claim 14, which is dependent on claim 10, Robotham discloses that each object is a generic element of the hierarchical data file structure, such that any combination of objects can be grouped together to form a part of the multimedia document (col 2, line 66 to col 3, line 9; col 22, lines 22-29: the choreography specification controls *the hierarchical time line that defines the appearance of the media elements of a scene*).

Regarding claims 63 and 65, which are dependent on claims 1 and 10 respectively, Robotham discloses that the ordered display is independent of a recipient software program used to render the objects (col 22, lines 13-37, 49 to col 23, line 6: the capability of rendering the multimedia stream as choreographed in advance suggests that the ordered display be independent of a recipient software program).

Regarding claims 64 and 66, which are dependent on claims 63 and 65 respectively, as mentioned in claims 63 and 65 above, the ordered display is independent of the browser used to render the objects so that the display is presented as choreographed by the document author.

11.   Claims 4, 13, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Robotham as applied to claims 1 and 10 above, and further in view of Shaw et al.,

Microsoft Office 6-in-1, Que Corporation 1994, pages 379-380, 384-389, 396-402, 419-

425, 492-496.

Regarding claim 4, which is dependent on claim 1, Robotham does not disclose:

- creating an exclusionary area within the window

- locating an object within the exclusionary area, the object being selected from a
  group of objects including a framed image, a slide show, framed text, sound data,
  a separator, or a hyperlink

Shaw discloses:

- creating an exclusionary area within the window (page 401, figure 4.4)

- locating an object within the exclusionary area, the object being selected from a group

of objects including a framed image, a slide show, framed text, sound data, a separator,

or a hyperlink (page 401, figure 4.4: the data in the area within the window can be text

and graphics).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Shaw into Robotham since Shaw teaches the window

features for locating objects selected from a group of *specific objects* providing the

advantage to include in Robotham to enhance the use of objects from internet instead

of merely video or audio from the media database.

Regarding claim 13, which is dependent on claim 10, Robotham does not disclose that two or more objects have at least one common attribute, including at least one of a command for perception of the object, an ability to pass and receive a message, and an ability to supply and retrieve the data embodied in the object.

Shaw discloses that two or more objects have at least one common attribute, including at least one of a command for perception of the object, an ability to pass and receive a message, and an ability to supply and retrieve the data embodied in the object (page 495: since the display of the slides can be set in a temporal order by the document author, the slides as in the slide stream has the ability to pass and receive a message to automatically advance to the next slide to display the data in the slide).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Shaw into Robotham since Shaw teaches the ability of passing and receiving a message between the objects to supply and retrieve data embodied in the object providing the advantage of enhancing the relationship among the media objects choreographed in the image stream as in Robotham.

Regarding claims 15 and 16, which are dependent on claim 10, Robotham does not disclose the document forms a code segment that receives image information, and wherein the image information is used to construct an image frame for a framed image that is part of the multimedia document.

Shaw discloses that the document forms a code segment that receives image

information, and wherein the image information is used to construct an image frame for

a framed image that is part of the multimedia document (pages 400-401).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Shaw into Robotham since Shaw a code segment to

control the receiving of image information as well as the structure of the media stream

providing the advantage of utilizing such control to edit the media stream in Robotham

as desired.

12.   Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Robotham as applied to claim 1 above, and further in view of Johnson (US Pat No.

5,892,847, 4/6/99, filed 4/22/96).

Regarding claims 5 and 6, which are dependent on claims 1 and 5 respectively,

Robotham does not disclose defining as well as locating the update splash image within

the data file.

Johnson discloses:

- splash image data defining a splash image and locating the splash image data within

the data file for displaying the splash image on the computer display (col 4, lines 30-50)

- further updating the splash image to be displayed (col 4, lines 30-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Johnson into Robotham since Johnson teaches the

process of displaying of a splash image, which is an element of a multimedia document

providing the advantage of including a splash image into the image file to enhance the

image characteristics in Robotham.

13.   Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Robotham as applied to claim 1 above, and further in view of Ando (US Pat No.

5,600,826, 2/4/97).

Regarding claim 7, which is dependent on claim 1, Robotham does not disclose that

each object has an address indicating a player that plays the object.

Ando discloses that each object has an object identifier that stores the position

information of a data element (col 1, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Ando into Robotham since Ando provides the object

identifier, which is an object address, to quickly find the object in the multimedia

document in the process of identifying objects and object player.

Regarding claim 8, which is dependent on claim 1, Robotham does not disclose

compressing information in each object.

Ando discloses a data compression/development device can, of course, be incorporated

into a structured data processor (col 6, lines 38-43).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Ando into Robotham since Ando has the ability of

compressing data for high-speed data transmission. This implies there is also an information of compressing in each object. The compression feature of Ando provides the advantage of faster sending multimedia data over the network channel due to reducing the amount of transmitted data.

14.   Claims 31-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robotham as applied to claims 1 and 10 above, and further in view of Caire et al. (US Pat No. 5,663,962, 9/2/97, filed 9/15/95).

Regarding claim 31, which is dependent on claim 1, and claims 32-34, which are dependent on claim 31, Robotham does not disclose that the choreography information further comprises a header, an object archive for storing information about one or more objects, the object archive including information about the relationship of the object file with the document, and a multiplex section including data for the objects in the document.

Caire discloses:

- a header (col 1, lines 65 to col 2, lines 1-2, each packet in the overall stream includes a header)

- an object archive for storing information about the plurality of object files, the object archive including information about *the level of each object file with the hierarchy* (col 1, lines 65 to col 2, lines 1-2, each packet of the multimedia stream

stores information; col 1, lines 37-52, it is desired for instance to *insert into the complete stream also some subtitles* to be displayed during the presentation....)

- a multiplex section including data for each of the object files of the document (col 1, lines 65 to col 2, lines 1-9, 45-59)

- the object files in the multiplex section are each played by a player as the multiplex object file is received by a receiver (col 1, lines 65 to col 2, lines 1-2)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Caire into Robotham since Caire provides the choreography and the multiplexing features for a multimedia presentation. The combination of Caire into Robotham would provide more detailed options in the relationship of the objects in a multimedia document to effectively controlling and changing the presentation of the objects.

Regarding claims 35, 36-39, which are dependent on claims 31 and 35 respectively, Robotham does not disclose an object number counter indicating the number of objects, a plurality of object descriptions, each object description describing a corresponding one of the objects, and a choreography group providing information about a first group of objects, a group object counter indicating the number objects in the choreography group, size and type data for each object, header data, data slices of the objects interleaved together, and placing one or more slice size data blocks before one or more of the interleaved data slices, each slice size data block corresponding to a data slice and providing a size of the corresponding data slice.

Caire discloses:

- an object number counter indicating the number of object files (col 2, lines 10-20)

- a plurality of object descriptions, each object description describing a corresponding one of the object files (col 1, lines 65 to col 2, lines 1-2, the header includes information of the type of a packet in the multimedia stream)

- a choreography group providing information about a first group of object files (col 1, lines 65 to col 2, lines 1-2, packets of different types are included in the overall stream as a sequence of intervals wherein the type of a packet is disclosed in the heading are considered as a choreography group providing information about the object files)

- size and type data for each object file (col 1, lines 65 to col 2, lines 1-2, data type of each packet in the multimedia stream)

- header data (col 1, lines 65 to col 2, lines 1-2, each packet includes a header)

- the data slices of the object files interleaved together (col 1, lines 65 to col 2, lines 1-2, the overall stream is structured as a sequence of intervals called packets, each of which contains data of single type, indicated in a header of the packet itself; since data of different types are arranged in the *sequence of intervals called packets*, the packets which are equivalent to the object files, are interleaved together)

- a first player pointer including an address of a player that plays the choreography group (col 2, lines 3-9, for each interval, the multiplexer has to decide from which the input stream it should take the data in order to construct the packets; this

implies that the multiplexer has to decide where to point to play the overall

stream which is equivalent to the choreography group as mentioned above)

- locating a plurality of slice size data blocks before the interleaved data slices,

    each slice size data block corresponding to one of the data slices and providing a

    size of the corresponding data slice (col 4, lines 45-53, the number of data bytes

    and the number of header bytes in each packet show the size of each packet

    which is equivalent to the data block)

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Caire into Robotham since Caire provides the

choreography and the multiplexing features for a multimedia presentation. The

combination of Caire and Robotham would provide the relationship of the objects in a

multimedia document for effectively controlling and changing the presentation of the

objects.

Regarding claim 40, which is dependent on claim 31, Robotham does not disclose a

non-multiplex section following the multiplex section where the non-multiplex section

includes one or more separate objects that are not played by a player as the separate

object files are received by a receiver. Caire discloses a plurality of separate object files

that are not played by a player as the separate object files are received by a receiver

(col 1, lines 37-45, ...*video and audio information* have *to be separated* again, by an

inverse of demultiplexing process, as presentation occurs on different devices...).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have combined Caire into Robotham since Caire provides the

choreography and the multiplexing features for a multimedia presentation. The

combination of Caire and Robotham would provide the relationship of the objects in a

multimedia document for effectively controlling and changing the presentation of the

objects.

Claims 41-50 are for a computer system of the method claims 31-40, and are rejected

under the same rationale.

15.   Claim 100 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Robotham et al. (US Pat No. 6,084,590, 7/4/00, filed 10/10/97, priority 4/7/97).

Regarding independent claim 100, Robotham discloses:

-   receiving specification of media content by a user (col 7, lines 5-27, 45-50:

    representations of media objects are used by a user for producing media

    streams; col 9, lines 49-60: media elements received for producing image

    streams; col 21, lines 12-21)

-   receiving designation by the user of choreography information that indicates at

    least an intended order of presentation for the specified media content (col 7,

    lines 51-67, col 8, lines 42-48; col 9, line 10 to col 10, line 2: providing

choreography information for a stream of media objects ; col 21, lines 22-32:

selecting from the given list the objects need to be choreographed)

- generating a single file that integrates the media content with the choreography

    information, wherein generating the single file comprises encapsulating within the

    single file at least two objects, each object including media content data and

    choreography information associated therewith, the choreography information

    comprising data defining a temporal order of presentation between the objects

    (col 7, lines 17-67: media _objects_ are choreographed (or combined with the

    choreography information) to generate an image stream of choreographed

    objects in a virtual stage where the choreography information includes a temporal

    representation of the objects; col 8, lines 18-65: the system integrates a plurality

    of image objects with choreography information; col 21, lines 22-32; col 22, lines

    13-20)

- before all objects of the files are received by a user, enabling the user to begin

    rendering the media content encapsulated within the file according to the

    choreography information associated with objects received (col 22, line 49 to col

    23, line 6: rendering the objects in the media file based on the choreography

    information associated with the media objects to a user; since the display of

    media segments occurs in a _choreography model pixel-by-pixel basis during the_

    finish rendering process, the render of media content is received as

    choreographed before all the objects of the file are received)

It is noted that Robotham does not specifies the author of the media stream and the

recipient of the media stream. Instead, Robotham uses the word "user" for both cases

(col 9, lines 10-63 and col 22, line 49 to col 23, line 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have modified Robotham to specify such feature since in some degree,

the author and the recipient are both the users of the media application: one uses the

application to produce a desired media stream, and another uses the application to

enjoy the created media stream.

Response to Arguments

16.   Applicant's arguments with respect to claims 1-11, 13-16, 31-50, 63-66 have

been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Shaw does not teach or suggest beginning to render media

content encapsulated within the file according to the choreography information

associated with objects received before all objects of the files are received, as recited in

claim 1. Rather, Shaw discloses features of Microsoft PowperPoint, which is a file-

based program that fails to teach or suggest beginning to render media content

encapsulated within the file according to the choreography information associated with

objects received before all objects of the files are received (Remarks, page 10).

Examiner agrees.

Robotham discloses the rendering process of the media object stream where the media

objects are choreographed (col 22, line 49 to col 23, line 6).

Since the display of media segments occurs in *a choreography model pixel-by-pixel*

basis during the finish rendering process, the render of media content is received as

choreographed before all the objects of the file are received.

Conclusion

17.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later
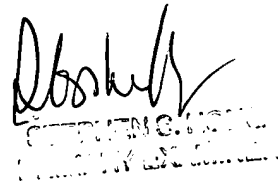
than SIX MONTHS from the date of this final action.

18.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-
0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone
numbers for the organization where this application or proceeding is assigned are 703-
746-7239 for regular communications and 707-746-7238 for After Final
communications.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is 703-305-
9000.

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